

Probation in California

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➤ **Probation is the most widely used form of correctional supervision in California.**

Probation is one of four forms of correctional supervision—the other three are prison, jail, and parole. Judges can sentence convicted offenders to the supervision of probation officers as an alternative to jail or prison—the judge’s decision is informed by input from the district attorney, the public defender, and the probation department. California’s adult supervised probation population is more than twice the size of its prison population, almost four times larger than its jail population, and about six times larger than its parole population. Unlike parole—a supervised release from prison that is administered by the state—probation is a county responsibility.

➤ **Probation has been reshaped by recent reforms.**

In 2009, the California Community Corrections Performance Incentives Act (SB 678) encouraged county probation departments to keep violators under community supervision instead of returning them to state prison. In 2011, Public Safety Realignment (AB 109) made county probation departments responsible for a large segment of non-serious and non-violent felony prison releases (34,344 in September 2014), as well as offenders whose sentences are “split” between jail and community supervision (11,360 in September 2014). In 2014, voters approved Proposition 47, which reclassified a large number of felony offenses as misdemeanors; this quickly reduced the number of new felony probation sentences and trimmed the overall probation caseload by 3%.

➤ **One in every hundred adults was on probation at the end of 2014.**

California’s adult probation caseload is down 19% from its historical high of 352,449 in 2003. As of December 2014, the statewide supervised caseload was 285,681. Los Angeles County has the largest caseload—its probation department was supervising 55,265 offenders in December 2014—and Sierra County has the smallest, with just 32 probationers. Felony probation cases account for 85% of the total caseload. The share of felony cases has shifted over time: from the 1970s to the 1990s, the majority of probation cases were misdemeanors, but by 2014 misdemeanor probation cases had declined by 76% (from a high of 174,423 in 1990 to 41,559).

➤ **Spending has risen but probation remains the least costly form of supervision.**

Under realignment, probation expenditures have increased—county departments spent more than \$1.5 billion in 2014, nearly \$400 million more than they spent in 2010. But counties are spending twice as much on jails (about \$3 billion in 2014). The daily cost of supervising a probationer is about \$12. It costs much more to supervise a parolee (\$28) or to house either a jail inmate (\$106) or a prisoner (\$164).

➤ **A growing number of probation departments are adopting evidence-based practices.**

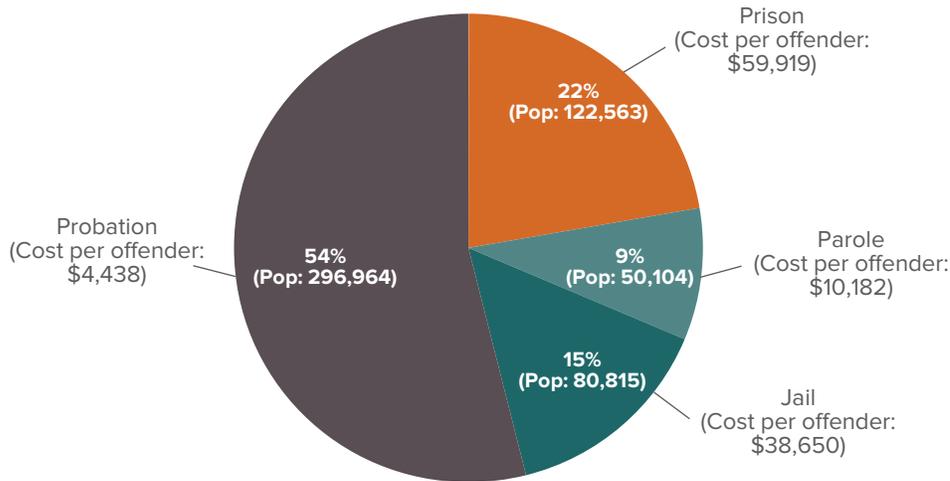
Evidence-based practices are demonstrated by scientific research to reduce recidivism. Examples include graduated sanctions and swift and certain sanctions for probation violations. Between the 2010–11 and 2013–14 fiscal years, the share of probation agencies reporting the use of evidence-based practices for both treatment and supervision increased from 34% to 53% and from 50% to 72%, respectively. The use of risk and needs assessment tools to focus interventions on higher-risk offenders increased from 57% to 77%.

➤ **Probation failures have declined since 2010.**

Probation failures—revocations to jail or prison—have dropped from 20,000 in 2010 to 17,000 in 2014, or from about 6.1% to 5.6% of the average daily probation population. Probation failures hovered around 8% between 2006 and 2009. Currently, about half of probation failures result in jail and the other half lead to imprisonment.



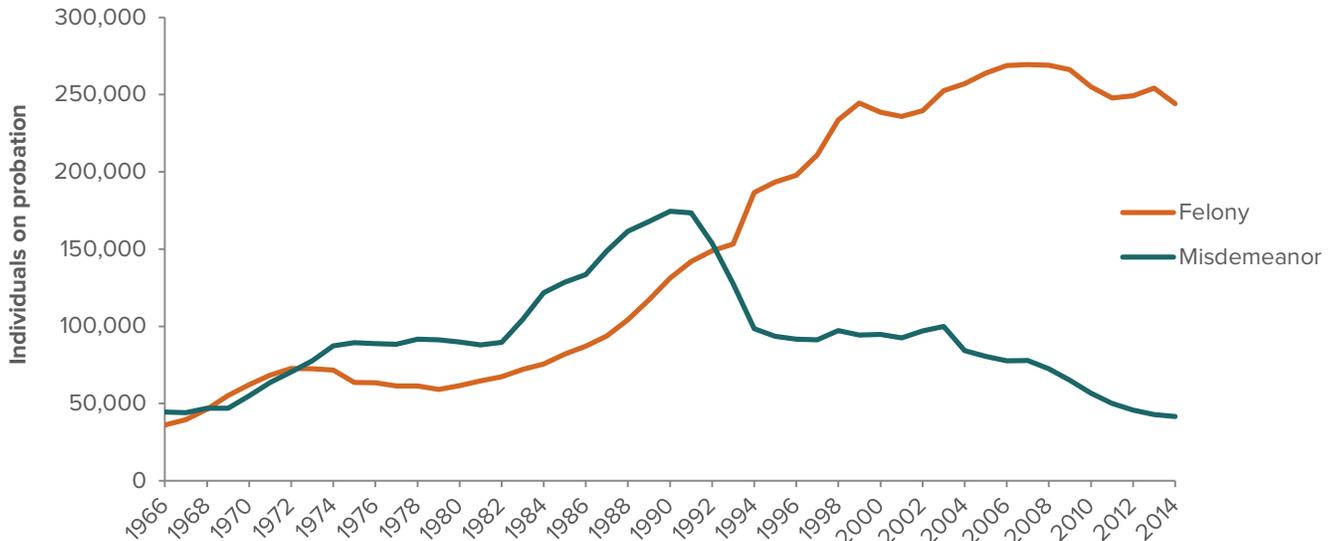
Probation is the most widely used and least costly form of correctional control



Sources: Prison and parole: Governor’s Brown 2015–16 CDCR budget, California Department of Finance. Jail population: Jail Profile Survey December 2013, Board of State and Community Corrections. Probation population: Crime in California 2014, California Department of Justice. Jail and probation cost: annual county financial reports, California State Controller.

Notes: All annual population and per-offender cost estimates are from 2013 to allow actual cost comparisons across all forms of supervision. Prison and parole populations and costs for 2013 are reported actual costs from Governor’s Brown 2015–16 CDCR budget. Jail and probation populations and costs for 2013 are author calculations using jail populations from the Board of State and Community Corrections, probation counts from the California Department of Justice, and county financial reports from the California State Controller.

Probation sentencing has shifted from misdemeanors to felonies



Source: Table 41 from Crime in California 2014: California Department of Justice.

Note: These data include only adults placed on supervised probation as of December 31 of each year. The Department of Justice does not report on forms of probation that do not involve active supervision by a probation department (e.g., court, diversion, or summary).

Sources: Board of State and Community Correction, California Department of Corrections and Rehabilitation, California Department of Finance, California Department of Justice, Judicial Council of California, State Controller’s Office.

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